



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SAUL SABINO,

Plaintiff,

-against-

PORT AUTHORITY POLICE  
DEPARTMENT, et al.,

Defendants.

21-CV-05731 (JGK) (BCM)

**ORDER**

**BARBARA MOSES, United States Magistrate Judge.**

For the reasons discussed during yesterday's status conference:

It is hereby ORDERED that defendants' counsel shall make a good faith effort to confirm the location of plaintiff's black Samsung cellphone, originally vouchered under property voucher S236217, so that plaintiff may retrieve it if permissible. Defendants shall file a letter updating the Court on the status of that search no later than **December 14, 2022**.

It is further ORDERED that the deposition of plaintiff will continue on **December 14, 2022**, and **December 20, 2022**. The Court has issued a separate order directing George R. Vierno Center on Riker's Island (GRVC) to produce plaintiff to a private room for his deposition on those dates. If the deposition is completed on the first date, defendants' counsel shall advise GRVC that plaintiff need not also be produced on the second date.

Plaintiff is reminded that he may object to deposition questions – including on relevancy grounds – as long as he does so "concisely in a nonargumentative . . . manner" (for example, by stating, "Objection, relevancy"). Fed. R. Civ. P. 30(c)(2). The objection will be "noted on the record, but the examination still proceeds." *Id.* A deponent may not refuse outright to answer a deposition question except to preserve a privilege, to enforce a limitation previously ordered by the court, "or to present a motion under Rule 30(d)(3)." *Id.* Rule 30(d)(3), in turn, permits a party

to *make a motion* to terminate or limit a deposition "on the ground that it is being conducted in bad faith or in a manner that unreasonably annoys, embarrasses, or oppresses" the deponent. Fed. R. Civ. P. 30(d)(3).

It is further ORDERED that the Court will hold a status conference **January 10, 2023, at 11:00 a.m.** The parties shall use conference dial-in number (888) 557-8511 and enter access code 7746387. The Court will issue a separate order directing GRVC to produce plaintiff to a private room for that conference. The Court will set deadlines for any summary judgment motions at that conference.

Plaintiff is further reminded that in the event he is moved to another facility, or released, it is his obligation to promptly inform the Court, in writing, of his new mailing address, telephone number, and email address if any.

Dated: New York, New York  
December 1, 2022

**SO ORDERED.**



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**BARBARA MOSES**  
**United States Magistrate Judge**